

## DEP off on beach access, LBT says

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— Township officials said Wednesday that the state Department of Environmental Protection misinterpreted a federal study to come up with its rule that the island must provide beach access every quarter-mile for the beach replenishment project to proceed.

The DEP admitted as much Thursday, but said it is in the process of making quarter-mile access their official policy.

The quarter-mile access rule has been a major point of contention for the nascent project between the DEP and local residents and politicians. Congressman Jim Saxton, R-3rd, accused the DEP last week of jeopardizing the long-anticipated project because of its quarter-mile access rule and other prerequisites like parking lots and restrooms. The U.S. Army Corps of Engineer policy calls for beach access every half-mile.

In a 1999 feasibility study for the project, the Army Corps said that access points must be located so that anyone on the island who wants to get on the beach is within a quarter-mile of an access point, not that there should be beach access points literally every quarter-mile, township attorney Richard Shackleton said at Wednesday's caucus meeting.

"I sat in at least one meeting where the Army Corps and DEP argued vigorously," about the rule, Shackleton added Thursday. "The DEP said, 'Well that's what you said in your report,' and the Army Corps said, 'That's what we meant and that's what our regulations require.'"

Island resident Peter Trainor, who was at Wednesday's meeting, used an analogy of beach access points represented by three dots, each separated by a quarter-mile. A person at the middle dot would be within a quarter-mile of a beach access point — hence, the Army Corps' half-mile rule.

"I asked DEP if they had any regulation," Shackleton said of the meeting, which he said was in 2003. "Big silence, because they don't have any properly adopted regulation."

Calls to the Army Corps were not returned Thursday.

Dave Rosenblatt, administrator of the DEP's office of engineering and construction said Thursday the Army Corps used the wrong wording to describe their regulation in the study, called the Barnegat Inlet to Little Egg Inlet Final Feasibility Report.

"They have since issued us a letter of correction stating what they meant to say was a half-mile," Rosenblatt said.

When asked if the DEP has a written, official regulation calling for quarter-mile access points, Rosenblatt said, "We are in the process of revising our coastal zone management rules to reflect this policy."

"The DEP has never really explained that part of it," said Jeff Sagnip Hollendonner, a spokesman for U.S. Rep. Jim Saxton, R-3d. "The DEP's goal is worthwhile. But the reality is it's twice the amount that the Army Corps recommends. It's also the reality that the cost of acquiring the land, paying the architects, etc., is a significant additional burden to island taxpayers."